

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GAIL C. DERFLER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:10CV00203 AGF
)	
MICHAEL J. ASTRUE,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on appeal from an adverse ruling of the Social Security Administration. The Court referred this matter to United States Magistrate Judge Frederick R. Buckles for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b). On February 11, 2011, Judge Buckles filed his recommendation that the decision of the Commissioner be reversed and the matter be remanded for further administrative proceedings. No objections to the report and recommendation were filed.

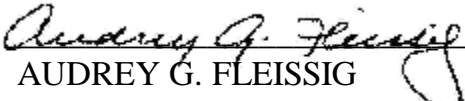
After careful consideration, I will adopt and sustain the thorough reasoning of Magistrate Judge Buckles set forth in support of his recommended ruling noted in the Report and Recommendation of February 11, 2011, and I will reverse and remand the decision of the Commissioner for resolution of the issues surrounding Dr. Nakra's treatment records and opinion evidence. On remand, the Commissioner should reconsider the weight to be accorded Dr. Nakra's opinion, and detail the basis for any determination to discount that opinion. Following resolution of these issues, the ALJ

should address whether plaintiff meets Listing 12.04; whether plaintiff can perform her past work; and whether plaintiff's allegations of symptoms precluding all work are credible.

Accordingly,

IT IS HEREBY ORDERED that the decision of the Commissioner is reversed and remanded.

A separate judgment in accordance with this Memorandum and Order is entered this same date.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 28th day of March, 2011.